

No. 36-03/2019-Pen(T)(1)
Government of India
Ministry of Communications
Department of Telecommunications
(Pension Section)

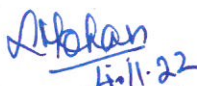
513, Sanchar Bhawan
20, Ashoka Road, New Delhi
Dated: 04th November, 2022

OFFICE MEMORANDUM

Subject: Circulation of Department of Pension & Pensioners' Welfare OM No.38/01(05)/2022-P&PW(A) dated 26.10.2022 regarding Power to withhold or withdraw pension/gratuity in case of grave misconduct or negligence during period of service under the Central Civil services (Pension) Rules 2021- reg.

The undersigned is directed to circulate the above mentioned DoPPW OM to all concerned for information and strict implementation.

Encl: As above.


4.11.22
(Leena George)

Under Secretary to the Govt. of India

To:

1. All the office of Pr. CCAs/ CCAs/LSAs/Heads of BSNL circles.
2. Sr. DDG(TEC), Khurshid Lal Bhawan, Janpath, New Delhi, WMO/NCCS
3. DDG(A/cs), DDG(C&A), DDG(Pers.), DDG(E&T), DoT, HQ.
4. Dir (Accounts-I), Dir (Accounts-II), Dir (Staff), Dir (SEA), Dir (Civil), Dir (Arch.), Dir (Elect.), DS (Admn.I), DS (Admn.II), DoT, HQ.
5. US (Admn.I), US (Admn.II), US(Admn.III), US(SGT), US(SNG), ADG(SEA-I), ADG(SEA-II), DoT
6. ADG(E&C), DoT for uploading this OM on DoT website.

Copy, in respect of DoT employees working on deputation, to:

7. CMD, BSNL/MTNL/BBNL/TCIL/ITI
8. Registrar, TDSAT, Secretary TRAI, Chairman C.DoT

F. No. 38/01(05)/2022-P&PW(A)
Government of India
Ministry of Personnel, PG & Pensions
Department of Pension & Pensioners' Welfare

3rd Floor, Lok Nayak Bhawan
Khan Market, New Delhi-110 003

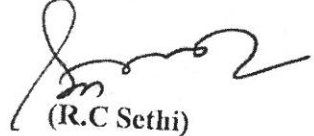
Dated: 26.10.2022

Office Memorandum

Subject: Power to withhold or withdraw pension/gratuity in cases of grave misconduct or negligence during the period of service under the Central Civil Services (Pension) Rules, 2021.

The undersigned is directed to say that Rule 8 of the CCS (Pension) Rules, 2021 has been amended vide Notification No. GSR 770(E) dated 07.10.2022. As per earlier Rule 8 of the CCS (Pension) Rules, 2021, the President had the power, in all cases, to withhold/withdraw a pension/gratuity, if in any departmental or judicial proceedings, the pensioner was found guilty of grave misconduct or negligence during the period of service, including service rendered upon re-employment after retirement.

2. As per the amended Rule 8, approval of President shall be required only for ordering withholding/withdrawing pension or gratuity in the case of a pensioner who retired from a post for which President is the appointing authority and, in other cases, Secretary of the Administrative Ministry or Department shall be competent to order withholding/withdrawing pension or gratuity, if the pensioner is found guilty of grave misconduct or negligence during the period of service in any departmental or judicial proceedings. Similarly, the Comptroller and Auditor-General of India shall be competent to order withholding/withdrawing pension or gratuity in the case of a pensioner who retired from the Indian Audit and Accounts Department, for which an authority subordinate to the President is the appointing authority. Consultation with UPSC will also not be necessary in cases where the President is not the appointing authority.
3. A provision for appeal against an order of an authority other than the President has also been made in the amended Rule 8(6A). Provisions for revision/review of the orders by the President have also been made in Rule 8(7) & Rule 8(8), respectively.
4. All Ministries/Departments are requested that the above amended provisions regarding power to withhold or withdraw pension/gratuity in case where the pensioner is found guilty of grave misconduct or negligence during the period of service may be brought to the notice of the personnel dealing with the pensionary benefits, for strict implementation.


(R.C Sethi)
Deputy Secretary to Government of India
Tel: 24635979

To,
All Ministries/Departments/Organisations (As per standard list)